IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36308 of 2008
MAQSOOD ALAM @ MD.MAQSOOD ALAM & ORS
Versus
STATE OF BIHAR
---

2 10.9.2008 Heard.

It is submitted on behalf of the petitioners that compromise had arrived at between the parties and the complainant and the petitioner no.1who is her husband were living happily together.Under the above circumstance this Court vide order dated 9.2.2007 observed that if the complainant appeared and supported the compromise by filing a petition within a period of eight weeks from that day the petitioners therein would be released on anticipatory bail.

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Learned counsel for the petitioners submits that the complainant is deliberately not appearing in the court below though she is living with them.

In the facts and circumstances of the case this Court directs that in case petitioners no.2 to 7, namely, Mahmod Alam, Sahud Alam @ Sahid Alam, Hakeeman Khatoon, Shamsha Khatoon, Chanda Parween and Md. Barik, surrender in the court below within four weeks from today they shall be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of C.J.M., Gaya, in Complaint Case No.1159/04 subject to the condition as laid down under section 438(2) of Cr.P.C. Further more petitioner no.1, Maqsood Alam @ Md. Maqsood Alam should also surrender in the court below within

four weeks from today and on his so surrendering the learned Magistrate will dispose of his bail application on its own merit without being prejudiced that he has moved this Court earlier in the matter.

With the aforesaid observations this modification application is disposed of .

Let the order be faxed at the cost of the petitioners.

Anilksinha **(Samarendra Pratap Singh,J.)**

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